

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

John Allen Bliss and Gail Bliss,

Plaintiffs,

vs.

Pinnacle Financial Group
Incorporated,

Defendant.

No. _____

COMPLAINT

JURY TRIAL DEMANDED

Plaintiffs, collectively and individually, allege as follows:

JURISDICTION AND VENUE

1. This action presents a federal question arising under 15 U.S.C. § 1692k.
2. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331.
3. Defendant is a Minnesota corporation with its principal place of business located at 7825 Washington Avenue South, Suite 310 in the City of Minneapolis, County of Hennepin, and State of Minnesota.
4. Venue in this Court is proper pursuant to 28 U.S.C. § 1391 because the sole Defendant resides in this judicial district and a substantial part of the events or omissions giving rise to this claim occurred in this judicial district.

CLAIMS ENTITLING PLAINTIFFS TO RELIEF

1. Defendant is a debt collector.
2. Defendant engaged in communication with Plaintiffs at unusual times that Defendant knew or should have known to be inconvenient to Plaintiffs.
3. Defendant engaged in communication with Plaintiffs without the prior consent of John Joseph Allen Bliss given directly to Defendant.
4. Upon information and belief, John Joseph Allen Bliss, the son of Plaintiff John Allen Bliss, is the natural person allegedly obligated to pay the debt that Defendant is attempting to collect.
5. John Joseph Allen Bliss is not a minor.
6. Defendant engaged in conduct the natural consequence of which was to harass, oppress, and abuse Plaintiffs in connection with the collection of a debt allegedly owed by John Joseph Allen Bliss, including:
 - (a) Defendant's use of language the natural consequence of which was to abuse Plaintiffs;
 - (b) The Defendant's advertisement for sale of any debt to coerce payment of the debt;
 - (c) Defendant causing Plaintiffs' telephone to ring and engaging Plaintiffs in telephone conversation repeatedly and continuously with intent to annoy, abuse, or harass any person at the called number;

- (d) Defendant placing telephone calls to Plaintiffs without meaningful disclosure of Defendant's identity;

all of which are in violation of 15 U.S.C. § 1692d.

7. Defendant used false, deceptive, and misleading representations and means toward Plaintiffs in connection with the collection of a debt allegedly owed by John Joseph Allen Bliss, including:

- (a) Defendant's false representation of the legal status of the debt;
- (b) Defendant's representation or implication that non-payment of the debt would result in the seizure, garnishment, attachment, or sale of any property or wages of Plaintiffs';
- (c) Defendant's threats to take actions that cannot be legally taken, such as the garnishment of Plaintiffs' wages;
- (d) Defendant's threat to take any action that Defendant did not intend to take, including the garnishment of Plaintiffs' wages;
- (e) Defendant's false representation or implication that accounts have been turned over to innocent purchasers for value;

all of which are in violation of 15 U.S.C. § 1692e.

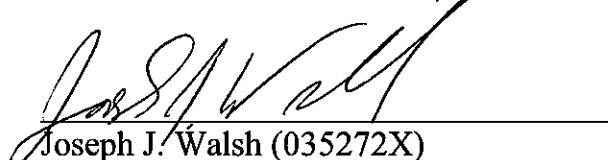
PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for damages in an amount to be proven at trial as follows:

1. Actual damages sustained by Plaintiffs as a result of Defendant's violations of the Fair Debt Collection Practices Act pursuant to 15 U.S.C. § 1692k(a)(1).
2. Additional punitive damages in the amount of \$2,000 pursuant to 15 U.S.C. § 1692k(a)(2).
4. Costs of suit incurred herein, together with a reasonable attorney's fee, pursuant 15 U.S.C. § 1692k(a)(3).
5. Such other and further relief as the Court may deem just and proper.

Dated: January 12, 2009

CUROTT & ASSOCIATES, LLC



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